

For all the foregoing reasons, CCI's Motion For Summary Judgment should be denied.

Respectfully submitted,

s/Thomas R. Koustmer  
Thomas R. Koustmer (0008410)  
Attorney for Plaintiffs  
1800 Federated Building  
7 West Seventh Street  
Cincinnati, Ohio 45202  
(513) 621-3616  
Email: plpaige@aol.com

s/Michael J. Honerlaw  
Michael J. Honerlaw (0034469)  
Attorney for Plaintiff  
Honerlaw & Honerlaw Co., L.P.A.  
9227 Winton Road  
Cincinnati, Ohio 45231  
(513) 931-2200  
Email: mike@honerlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by electronic transmission or ordinary U.S. Mail to the following this \_\_\_\_\_ day of September, 2003:

Kenneth Robert Schoeni  
Kohnen & Patton  
PNC Center, Suite 800  
201 East Fifth Street  
Cincinnati, Ohio 45202  
(513) 381-0656  
Attorney for Defendants, Ryder System Inc;